

DAC/JCW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named
Inventor : Westby et al.

Appln. No.: 10/714,478

Filed : November 13, 2003

For : METHOD AND APPARATUS TO
REDUCE SERIAL COMMUNICATIONS
PATH CONNECTION OVERHEAD

Docket No.: S104.12-0060/STL 8646

Group Art Unit: 2116

Examiner: Thuan N. Du

**RESPONSE TO SECOND ORDER TO SHOW CAUSE WHY THE OFFICE
SHOULD NOT TERMINATE THE PRESENT REISSUE PROCEEDING**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS PAPER
IS BEING SENT BY U.S. MAIL, FIRST
CLASS, TO THE COMMISSIONER FOR
PATENTS, P.O. BOX 1450, ALEXANDRIA,
VA 22313-1450, THIS

10th DAY OF July 2007

PATENT ATTORNEY

Sir:

This is in response to the Second Order to Show Cause in the above-identified matter mailed on April 26, 2007. In the Order to Show Cause, the Office of Patent Legal Administration indicated that Applicant's showing must include a copy of a favorable determination on the merits of the March 8, 2007 Petition to accept late payment of the first maintenance fee, and a showing of due diligence in responding to this Second Order to Show Cause.

Accordingly, Applicant is including a copy of the Decision on Applicant's Petition mentioned above, as Exhibit A. It will be noted that the Petition has been granted. Therefore, Applicant submits that this satisfies the showing of a favorable determination on the merits of Applicant's March 8, 2007 Petition.

With respect to Due Diligence, Applicant notes that the Petition to Accept Late Payment of the First Maintenance Fee was filed on March 8, 2007, very shortly after learning of the

unintentional failure to pay the first maintenance fee, and prior to the Second Order to Show Cause being mailed by the Office. Applicant further notes that the decision on the March 8, 2007 petition was mailed by the Office on July 6, 2007 and received by Applicant on July 9, 2007. This response is being drafted on July 10, 2007. Therefore, the undersigned has undertaken to respond immediately upon receiving the decision on petition. Thus, Applicant would submit that the showing of due diligence has been made.

In conclusion, Applicant submits that an appropriate showing has been made as to why the Office should not terminate the present reissue proceeding. Applicant further notes that a "Corrected Notice of Allowance and Issue Fee Due" has been received in the present reissue proceeding. The Corrected Notice of Allowance and Issue Fee Due was mailed on May 29, 2007 and a response is due on August 29, 2007. Applicant has paid the Issue Fee on even date herewith, and a copy of the Issue Fee Transmittal papers (which were separately filed) are included as Exhibit B hereto.

Applicant thus respectfully requests that the Office of Patent Legal Administration notify Applicant that the present reissue proceeding is not terminated, and that the Corrected Notice of Allowance and Issue Fee Due mailed on May 29, 2007 is ratified and fully effective.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By:

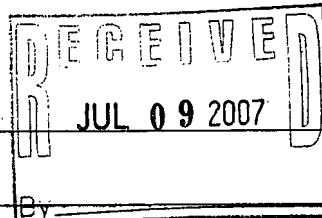
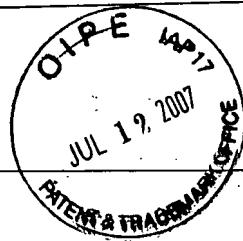


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JRK:slg



UNITED STATES PATENT AND TRADEMARK OFFICE



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JRK
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 900 SECOND AVENUE SOUTH
 MINNEAPOLIS, MN 55402-3319**

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JUL 06 2007

OFFICE OF PETITIONS

S10A.12-0046

In re Patent No. 6,317,800
 Issue Date: November 13, 2001
 Application No. 09/193,482
 Filed: November 17, 1998
 Attorney Docket No. 934.008US1

DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.378(c), filed March 08, 2007, to accept the unintentionally delayed payment of a maintenance fee for the above-identified patent.

The petition is **GRANTED**.

This patent expired on November 13, 2005 for failure to pay the three and one-half year maintenance fee. Since this petition was submitted within twenty-four months after the six-month grace period provided in 37 CFR 1.362(e), the petition was timely filed under the provisions of 37 CFR 1.378(c).

The maintenance fee is hereby accepted and the above-identified patent is reinstated as of the mail date of this decision.

It is not apparent whether the person signing the statement of unintentional delay was in a position to have firsthand or direct knowledge of the facts and circumstances of the delay at issue. Nevertheless, such statement is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. In the event that such an inquiry has not been made, petitioner must make such an inquiry. If such inquiry results in the discovery that the delay in paying the maintenance fee under 37 CFR 1.378(c) was intentional, petitioner must notify the Office.

There is no indication that the person signing the petition was ever given a power of attorney to prosecute the application. If the person signing the petition desires to receive future correspondence regarding this application, the appropriate power of attorney documents must be submitted. While a courtesy copy of this decision is being mailed to the person signing the petition, all future correspondence will be directed to the address currently of record until appropriate instructions are received.

Telephone inquiries concerning this decision should be directed to Michelle R. Eason at (571) 272-4231.

The patent file is being forwarded to Files Repository.


David Bucci
Petitions Examiner
Office of Petitions



Exhibit B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor :	Judy Lynn Westby	Conf No: 2370
Appln. No.:	10/714,478	Allowed: May 29, 2007
Filed :	November 11, 2003	Group Art Unit: 2116
For :	METHOD AND APPATUS TO REDUCE SERIAL COMMUNICATIONS PATH CONNECTION OVERHEAD	Examiner:
Docket No.:	S104.12-0060/STL 8663.10	Thuan N. Du

CERTIFICATE OF MAILING

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is our check in the amount of \$1400.00 as payment of the Issue Fee in the above-identified application and Advanced Order for 0 soft copies of the issued patent, along with the Issue Fee Transmittal.

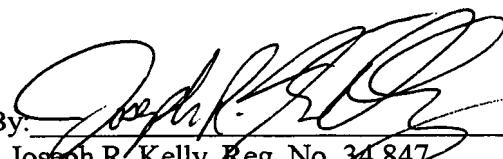
In the event the attached check is unacceptable, or the check is omitted, or if there are any additional fees associated with this application, please charge the required fee or credit any overpayment to Deposit Account No. 23-1123.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 10, 2007.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By:


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